

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

January 31, 2013

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2),
Chris Case (W5), Chris Jackson (W6)

Absent: Councilors George Rabideau (W3) and Jim Calnon (W4)

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on January 17, 2013 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Case
Roll call: Councilors Carpenter, Tiffer, Case, Jackson
(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending January 30, 2013 in the amount of \$ 246,995.11 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Jackson
Roll call: Councilors Carpenter, Tiffer, Case, Jackson
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of January 17 –January 30, 2013
- Report from the Building Inspector's Office from January 15 – January 28, 2013
- Report from the Parking Violations Bureau for December 2012

RESOLVED: That the reports as listed are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Case
Roll call: Councilors Carpenter, Tiffer, Case, Jackson
(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 705,838.94 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Jackson
Roll call: Councilors Carpenter, Tiffer, Case, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Laverne Hicks 9Alex Way said called the Building Inspector's office and let them know that I had earthquake type tremors in my home. And I even wrote a complaint to that affect and I asked to get back to me in writing as to what was done. And I got a telephone call and he said he had talked to a gentleman at Bombardier that's where all the complaints go. Now isn't that kind of like putting the fox in the hen house? This man is a liaison? Bombardier is our enemy, he's my enemy. So why would I have a liaison from Bombardier? And I'm asking the Council that. I thought a liaison was supposed to be a go between. And I thought the Building Inspector's office was supposed to come up and check as to what's going on. I did ask Mr. Carpenter to come up to my home this past week. And can you tell this Council exactly what you felt?

Councilor Carpenter said usually I wouldn't talk, but, I'll explain there was a lot of shaking. And I told you then that I don't understand much about homes. So, I was over my head as to whether it was good or bad for your house. And I advised you to seek out someone who was an expert to give you an idea if it was good or bad.

Laverne Hicks 9Alex Way said did I show you in my home where some of the sheet rock was starting to come from the...

Councilor Carpenter said well yeah you showed me but. Yeah you did but there's no proof that happened because of the shaking. And like I said I'm no expert. That's why I said...

Laverne Hicks 9Alex Way said did I have earth like tremors in my home?

Councilor Carpenter said it was shaking pretty good.

Laverne Hicks 9Alex Way said yes it was. The only thing I'm asking is for the city to stop and think about this little community here. We're not the whole City of Plattsburgh. We're 7 little homes. One home is vacant. We're 7 little homes. And all were asking we're your constituents. We're the people that voted. And we're asking you to give us some consideration. Give us something. Don't just slough us off like we're a bad bug that you don't want. We're the people that put you here in office and we're asking for your consideration. These people are out there. They are using frost breakers. It is shaking my home. If I put a gallon of milk and a gallon of ice cream on my kitchen table I'd have a milk shake by supper time. I'm not asking for a lot. I'm just asking for you people to take me into consideration and the people that live there. We have one 80 year old plus woman in our neighborhood. She shouldn't have to die listening to that or

going through that. And I don't think we're asking for a lot. So I think you people ought to think about it. And I think you ought to get with Bombardier and ask them how they're going to solve this problem. Because it is a problem.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves the Municipal Lighting Department be permitted to proceed with the write-off of unpaid final bills for the period October 1 to October 31, 2011 in the amount of \$1,927.71.

By Councilor Jackson; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to write-off property taxes from 2011 and 2012 in the amount of \$8,812.93 that were billed to the tax exempt property at 73 Cornelia Street, owned by the Plattsburgh Housing Authority. The property became fully tax exempt through a change in government subsidization on December 1, 2010, and as a fully exempt property it should not have been billed for property taxes thereafter. The documentation attached to these meeting minutes confirms the change in taxable status and the amounts incorrectly billed that are to be written-off effective December 31st, 2012.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves Kendra Gertsch to hold the Winter Blues Walk on the Oval on March 23, 2013 from 10am-2pm to raise awareness for cancer screenings.

By Councilor Tiffer; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. THE MAYOR HANDS DOWN THE APPOINTMENT OF CURT GERVICH TO THE PLANNING BOARD FOR A TERM EXPIRING 1/15/2019.

Discussion: None
Roll call: Councilors Carpenter, Tiffer, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

E. THE MAYOR HANDS DOWN THE APPOINTMENT OF FIREFIGHTER TO RYAN SPONABLE EFFECTIVE FEBRUARY 4, 2013 PENDING THE SUCCESSFUL COMPLETION OF A 52 WEEK PROBATIONARY PERIOD.

Discussion: None
Roll call: Councilors Carpenter, Tiffer, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adopt a resolution increasing the City of Plattsburgh Refuse Collection Rates effective February 1st, 2013, by adding \$1.00 per month to the weekly pick-up service rates and by adding \$.50 per month to the bi-weekly pick-up service rates.

By Councilor Jackson; Seconded by Councilor Carpenter
Discussion:

Councilor Jackson said I just want to kind of explain where this came from because during our Budget sessions this was my idea. When we close the Akey Landfill we are required by DEC to do post-closing monitoring. The estimated fee for that is about \$33,000 a year. And because that was where we dumped our garbage this is kind of where I felt we needed to pay for the post closure monitoring. The city garbage does generate a modest amount of revenue. It's a self-sustaining program. It makes approximately \$50,000 to \$60,000 a year. So people might ask why are you going to do this. Well, this is going to generate about two-thirds of the \$33,000 necessary and required by DEC. We are hopefully going to settle an AFSCME contract. We don't know what the landfill tipping fees are going to be in the future. We haven't had a garbage rate increase since Mayor Dan Stewart was in office so it's been over 7 years. People get a good value for their dollar. But, because there is an unfunded mandate to pay for this post closure monitoring this was how I suggested we pay for it.

Councilor Carpenter said I like the idea in a lot of ways. It's what we're doing to fund the work we're doing on the dams and work for the water supply and stuff. So I'm definitely on board with this, Chris, I thought it was a good idea.

Roll call: Councilors Carpenter, Tiffer, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves Joe McMahon, Kyle Burdo and Claude Bouchard permission to attend the “Northern Adirondack Code Enforcement Officials Education Conference from March 4 – 7, 2013 in Lake Placid, NY for a cost not to exceed \$1,038 and this conference provides mandatory training hours to retain Code Enforcement Certification.

By Councilor Case; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Ryan Sponable to attend the “NYS Fire Academy” in Montour Falls, NY from March 4, 2013 – May 16, 2013. The cost will not exceed \$2,524.

By Councilor Carpenter; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from City Engineer for permission to advertise for bids for Contract # 2013-02 “Dennis Avenue Improvements, Prospect Avenue – Olivetti Place.”
2. Request from Police Chief Desmond Racicot to continue the contract with James Burgess as the Nuisance Animal Control Officer for 2013 for the total cost of \$25,000 and there is no increase in cost from 2012.
3. Request from Valcour Sailing Club to reserve the use of the City Docks on Dock Street and the parking lot to park trailers and vehicles from August 14 – 18, 2013 for the 2013 Soling North American Regatta.
4. RESOLUTION- Authorization to Participate in Lakes to Locks Passage Inc. (LTLP) kiosk program

Whereas, the Lakes to Locks Passage Inc. (LTLP) was formed to plan and carry out projects and programs to benefit the communities of the Lake Champlain, Lake George, and Champlain Canal regions, and

Whereas, the LTLP has received a grant from the NYS Dept. of Transportation to develop Waypoint community kiosks along the byway, and the City of Plattsburgh desires to sponsor byway kiosks in the City of Plattsburgh; therefore

It is resolved, The mayor is authorized to sign a Memorandum of Understanding with LTLP whereby the City will: pay \$600 as the city share of the project cost from available NYS grant funds; identify suitable locations for the kiosks on City property; and assist in the design and composition of messages to be displayed. The Lake City Local Development Corporation is authorized to represent the City of Plattsburgh in LTLP meetings and provide City input on kiosk siting, design and messaging.

10. NEW BUSINESS:

Councilor Carpenter said I just wanted to quickly let you know. Last week we had our committee meeting for the first liaison committee for Records. We had 2 department heads show up; Rich Marks and Keith Herkalo. We got a lot of discussion done as to what we're going to do at the meetings. We've decided we really need to have some organization at the meetings. We're going to develop agendas and stuff. So for the future committees that something to think about. Other than that that's our report. It was a good night actually took us about an hour.

Corporation Counsel John Clute said I just want to know where we stand on this Dock Street landing thing I sent you guys. You have a committee meeting next week can we get that on the agenda then and just deal with it? It something that needs to be discussed and decided.

Councilor Jackson said if I'm not mistaken next week's committee meeting is Public Safety which is Police and Fire.

Corporation Counsel John Clute said I don't know who organizes the agendas but this is something that's been hanging out there for 3 years now since that building flooded. I think you have as much as you need to know to decide what to do with it. Let's just decide it and be done with it.

Mayor Kasprzak said we have money in the capitol budget for improvements if that's what you want to do down there. So we've got to make that decision. Beth will make a note of that and send it to everybody.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Case, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 5:46 pm



Plattsburgh, New York

Donald M. Kasprzak, Mayor

41 City Hall Place
Plattsburgh, NY 12901
518 563-7701
518 561-7367 fax
mayor@cityofplattsburgh-ny.gov

February 4, 2013

At a Regular Meeting of the Common Council of the City of Plattsburgh, New York held February 1, 2013 the following resolution was adopted:

By Councilor Jackson; Seconded by Councilor Carpenter

WHEREAS, it is provided by Ordinance entitled "An Ordinance Regulating the Collection, Removal and Disposal of Refuse in the City of Plattsburgh, NY and Fixing Charges for Use of services and Penalties for Violation Thereof" that the fees to be charged thereunder be fixed by resolution of the Common Council of the City of Plattsburgh, New York, now, therefore, be it

RESOLVED: that effective with the first bills rendered on or after February 1, 2013 the following fees for services rendered pursuant to said Ordinance be and the same are hereby adopted:

SINGLE FAMILY DWELLINGS:

\$29.35 per month per family unit (*includes duplex dwellings and townhouses)
Optional bi-weekly pick-up at \$14.75 per month with a three (30 gallon) bag limit

MULTIPLE FAMILY DWELLINGS:

3 to 5 Apartments \$74.85 per month
6 to 7 Apartments \$148.85 per month
8 to 10 Apartments \$198.00 per month
Over 10 Apartments \$24.50 per Apartment per month

COMMERCIAL BUSINESSES (WITHOUT DUMPSTERS):

6 or less bags or containers not exceeding 30 Gallons:
\$33.65 per month for once a week pickup
\$61.35 per month for twice a week pickup
Each bag or container over 6 bag limit \$2.35 per bag or container

BILLING PROCEDURE RESIDENTIAL AND COMMERCIAL WITHOUT DUMPSTERS:

All residential and commercial customers will be billed once a month, in arrears, for services rendered the previous month. No credit or adjustment will be made in a monthly billing if the customer did not use the service during part of a month. Service may be suspended for one or more calendar months if the customer notifies the Finance Department by telephone or in writing by the 15 of the month preceding the month that service is to be suspended.

SPECIAL PICKUP CHARGES:

The following charges apply to the collection of all refuse that is required to be separated from organic trash and dumped at a separate location in the Clinton County Landfill. This material includes tree branches and limbs, bagged leaves, yard waste, construction or demolition debris, metal, appliances, mattresses and carpeting, \$75.25 per pickup truck load.

Any unlisted service at an hourly labor and equipment charge to be determined in advance of providing the service.

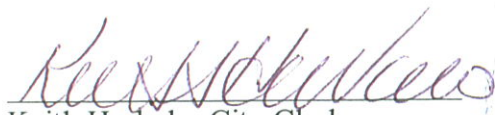
On roll call: Councilors Carpenter, Tiffer, Case and Jackson voted in the affirmative

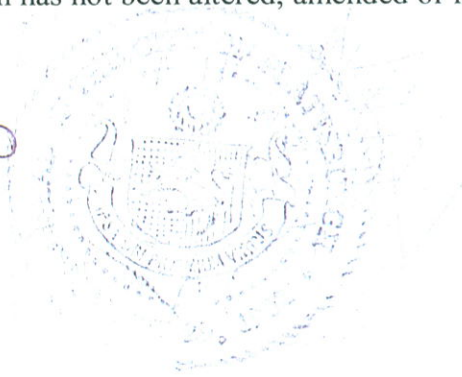
Absent: Councilor Rabideau and Councilor Calnon

CERTIFIED A TRUE COPY

February 4, 2013

I, Keith Herkalo, the duly appointed City Clerk of the City of Plattsburgh, do hereby certify that the preceding resolution was adopted at a regular meeting of the Common Council of the City of Plattsburgh held on February 1, 2013, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.


Keith Herkalo, City Clerk



1 1/31/13 Submitted by
Laverne Hicks into
minutes

From: McMahon, Joe <mcmahonj@cityofplattsburgh-ny.gov>

To: lhicks8623 <lhicks8623@aol.com>

Subject: RE: Laison

Date: Thu, Jan 24, 2013 3:50 pm

Mrs. Hicks,

The man's name is Brian Mulcahy. He says he is the ultimate liaison but that all calls should go to the security office first since they are manned 24/7. Then they would assess the complaint and log it, then contact whoever is in charge at that time of day (or night). The number to the security office is 566-5050. And if they don't seem to know what is going on, you can tell them that I told you that Brian Mulcahy said you were to do it this way. Thank you.

Joseph McMahon

Building Inspector

City of Plattsburgh

41 City Hall Pl.

Plattsburgh, NY 12901

(518) 563-7707 ext. 7513

Cell 570-8807

From: lhicks8623@aol.com [<mailto:lhicks8623@aol.com>]

Sent: Thursday, January 24, 2013 3:08 PM

To: McMahon, Joe

Subject: Laison

Joe,

I am sorry but I did not get the name of the person you send the complaints to that I bring to your office. Would you please e-mail me his name again and also a phone number I can reach him if he has one.

Thanks so much

Laverne

CLINTON COUNTY REAL PROPERTY OFFICE

137 Margaret Street Suite 210
Plattsburgh, New York 12901

Martine M. Gonyo, C.C.D.
Director
518-565-4760
FAX 518-565-4773
E-mail: gonyom@co.clinton.ny.us



November 1, 2012

Mayor Donald Kasprzak
City of Plattsburgh
41 City Hall Place
Plattsburgh, NY 12901

RECEIVED

DEC - 4 2012

CITY OF PLATTSBURGH
DEPT. OF ASSESSMENT

Dear Mayor Kasprzak:

Re: 091300 207.19-2-1
Plattsburgh Housing Authority

Section 550, Subd 7, Paragraph a of Real Property Tax law states an unlawful entry means an entry on the taxable portion of the assessment roll of the assessed valuation of real property which, except for provisions of section four hundred ninety, is wholly exempt from taxation.

In this particular case, parcel 207.19-2-1 should have been wholly exempt for the 2011 and 2012 city taxes.

We recommend that the information provided by the City of Plattsburgh Assessor be used to determine that no taxes are due for the 2011 and 2012 city taxes.

Sincerely,

Martine M. Gonyo, Director

/mmg

✓ cc: Derek Rosenbaum, City of Plattsburgh Assessor

Tax Credit regarding 73 Cornelia Street
for Plattsburgh Housing Authority (PHA)

- The property located at 73 Cornelia St. was New York State subsidized until 12/1/2010. Until that point, this property had a taxable value of \$138,450.
- On 12/1/2010, the property located at 73 Cornelia St. became federally subsidized and thus became 100% exempt. However, the assessment roll was not corrected at that time and taxes have been incorrectly levied against the \$138,450 taxable portion of the property ever since 12/1/2010.
- PHA did not pay the Property & School Tax Bills in 2011 and 2012. The Assessment Rolls for 2010, 2011, and 2012 need to be corrected to show 73 Cornelia St. as being 100% exempt.
- The error on the Assessment Rolls is considered an unlawful entry according to RPTL Section 550(7)(a): “an entry on the taxable portion of the assessment roll or the tax roll, or both, of the assessed valuation of real property which, except for the provisions of section four hundred ninety of this chapter, is wholly exempt from taxation.”

01/18/2013 12:00
1427rmar

CITY OF PLATTSBURGH
REAL ESTATE TAX STATEMENT

PG 1
txtaxstm

PARCEL: 207.19-2-1

LOCATION: 73 CORNELIA ST

CURRENT OWNER:
PLATTSBURGH HOUSING AUTHORITY
39 OAK ST
PLATTSBURGH NY 12901

CURRENT STATUS:
ACRES: 1.600
LAND VALUATION: 1,262,800
BUILDING VALUATION:
EXEMPTIONS: 0
TAXABLE VALUATION :

LEGAL DESCRIPTION:

DEED DATE:			BOOK/PAGE:		INTEREST DATE: 01/18/2013		
YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE	
2012	RE-R	857					
	1	12 City Tx	359.97	359.97	36.00	395.97	
		12 CNTYTX	208.93	208.93	20.89	229.82	
			568.90	568.90	56.89	625.79	
	2	12 City Tx	359.97	359.97	32.40	392.37	
		12 CNTYTX	208.91	208.91	18.80	227.71	
			568.88	568.88	51.20	620.08	
	3	12 City Tx	359.97	359.97	28.80	388.77	
		12 CNTYTX	208.91	208.91	16.71	225.62	
			568.88	568.88	45.51	614.39	
	4	12 City Tx	359.97	359.97	25.20	385.17	
		12 CNTYTX	208.91	208.91	14.62	223.53	
		2012FILFEE	10.00	10.00	.00	10.00	
			578.88	578.88	39.82	618.70	
			2,285.54	2,285.54	193.42	2,478.96	
2012	RE-S	9003658					
	1	12 ARSCHL	2,957.04	2,957.04	399.20	3,356.24	
		12 SCHPEN	73.93	73.93	9.98	83.91	
		12 COLLFEE	151.55	151.55	20.46	172.01	
			3,182.52	3,182.52	429.64	3,612.16	
			3,182.52	3,182.52	429.64	3,612.16	
2011	RE-R	844					
	1	11 City Tx	359.96	359.96	79.19	439.15	
		11 CNTYTX	205.62	205.62	45.24	250.86	
			565.58	565.58	124.43	690.01	

01/18/2013 12:00
1427rmar

CITY OF PLATTSBURGH
REAL ESTATE TAX STATEMENT

PG 2
txtaxstm

YEAR	TYPE	BILL		BILLED	PRIN DUE	INT DUE	TOTAL DUE
	INST	CHARGE					
2	11	City Tx		359.94	359.94	75.59	435.53
	11	CNTYTX		205.59	205.59	43.17	248.76
				565.53	565.53	118.76	684.29
3	11	City Tx		359.94	359.94	71.99	431.93
	11	CNTYTX		205.59	205.59	37.01	242.60
				565.53	565.53	109.00	674.53
4	11	City Tx		359.94	359.94	68.39	428.33
	11	CNTYTX		205.59	205.59	39.06	244.65
				565.53	565.53	107.45	672.98
				2,262.17	2,262.17	459.64	2,721.81
GRAND TOTALS				7,730.23	7,730.23	1,082.70	8,812.93